

REMARKS

Review and reconsideration on the merits are requested.

Claims 1-2, 4 and 10-11 are amended and claims 3 and 9 are canceled herein.

Claims 14-27 are withdrawn from consideration as being drawn to a non-elected invention in view of Applicants' election to prosecute claims 1-13 in response to the restriction requirement imposed by the Examiner.

Support for the amendment is found, for example, in the original specification on page 18, lines 11-16 and 24-26 and page 19, lines 21-24. Hence, no new matter is introduced.

Accordingly, upon entry of the Amendment, claims 1,2, 4-9 and 10-13 will be all of the claims under examination.

Claims 1-5, 12 and 13 were rejected. Claims 6-11 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form.

Claims 1-5, 12 and 13 were rejected under 35 U.S.C. § 102(b) as being anticipated by Tanaka et al. (WO 97/11518 A1). The Examiner relies on and cites to U.S. Publication No.2001/0038655 as an English translation of the WO Publication.

Applicants respectfully traverse the rejection and submit that Tanaka et al does not disclose all elements of the presently claimed invention.

The presently claimed invention is directed to a nitride semiconductor device comprising, *inter alia*, a dissimilar substrate having a first major surface off-angled

stepwise from a second major surface of the dissimilar substrate, wherein the off angle θ of the stepwise off-angled first major surface of the dissimilar substrate with respect to the C plane, or horizontal plane, of the dissimilar substrate, is 1° or less.

Tanaka et al does not disclose, teach, or suggest such an off-angle formed on the dissimilar substrate. Therefore, Tanaka et al does not disclose teach or suggest all elements of the claimed invention and cannot be said to anticipate the claimed invention.

Claims 2, 4-8 and 10-13 depend from claim 1 and are distinguished for at least the same reason. Claims 3 and 9 are canceled.

Accordingly, Applicants respectfully request withdrawal of the rejection under 35 U.S.C. § 102(b) over the WO publication of Tanaka et al.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. APPLN. NO. 10/600,833

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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